

Message Text

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PAGE 01 STATE 040251

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TO AMEMBASSY OTTAWA

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E.O. 11652: N/A

TAGS: EFIS, CA

SUBJECT: AIDE-MEMOIRE TO CANADIAN EMBASSY RE SOCKEYE
SALMON FISHERY OF THE FRASER RIVER SYSTEM

1. FYI. THE FOLLOWING IS TEXT OF US AIDE-MEMOIRE
DELIVERED TO CANADIAN EMBASSY ON 2-18-76. NO ACTION IS
NECESSARY. BEGIN TEXT:

THE DEPARTMENT OF STATE REFERS THE EMBASSY OF CANADA TO
THE CONVENTION BETWEEN THE UNITED STATES AND CANADA FOR
THE PROTECTION, PRESERVATION AND EXTENSION OF THE SOCKEYE
SALMON FISHERY OF THE FRASER RIVER SYSTEM, SIGNED IN
WASHINGTON ON MAY 26, 1930 AS AMENDED BY THE PINK SALMON
PROTOCOL AMENDING THE CONVENTION, SIGNED IN OTTAWA ON
DEC 28, 1956, AND TO THE REGULATIONS PROMULGATED ANNUALLY
BY THE INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION
(IPSFC). REFERENCE IS FURTHER MADE TO THE EMBASSY OF
CANADA'S AIDE-MEMOIRE DATED FEB 6, 1976, IN WHICH THE
EMBASSY OF CANADA RESPONDED TO THE INFORMAL UNITED STATES
PROPOSALS RELATING TO THE IPSFC REGULATIONS FOR 1976
CONVEYED TO THEM THROUGH THE UNITED STATES EMBASSY IN
OTTAWA ON JAN 24, 1976.

UNCLASSIFIED

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PAGE 02 STATE 040251

THE UNITED STATES REGRETS THAT THE CANADIAN AUTHORITIES

ARE UNWILLING TO ACCEPT ITEM (B) OF ITS PROPOSALS OF

JAN 24, 1976. UNITED STATES AUTHORITIES CONSIDER THAT THE LIMITED AND EXPERIMENTAL ACCOMMODATION OF FISHING FOR SALMON OTHER THAN SOCKEYE SALMON PROPOSED FOR SUBAREA 2 WOULD NOT HAVE IMPAIRED THE FUNCTIONS OF THE IPSFC WITH RESPECT TO SOCKEYE SALMON.

THE UNITED STATES APPRECIATES CANADA'S ACCEPTANCE IN PRINCIPLE OF ITEM (A) OF ITS INFORMAL PROPOSAL AND HEREBY FORMALLY PROPOSES TO QUALIFY THE RECOMMENDED IPSFC GEAR REGULATIONS FOR 1976 BY LANGUAGE INCLUDING THE PHRASE QUOTE TO THE EXTENT PERMISSIBLE UNDER THE LAWS OF THE PARTIES END QUOTE. IT IS THE UNDERSTANDING OF THE UNITED STATES THAT THIS FORMULATION WOULD NOT PERMIT EITHER PARTY TO ALLOW THE TAKING OF SOCKEYE AND PINK SALMON DURING PERIODS WHEN REGULATIONS PROMULGATED BY THE COMMISSION PROHIBIT TAKING OF SOCKEYE AND PINK SALMON WITH ANY TYPE OF GEAR.

THE UNITED STATES WILL PROMPTLY TAKE THE NECESSARY DOMESTIC STEPS IN ORDER TO ADVISE THE COMMISSION AND THE CANADIAN AUTHORITIES, WELL IN ADVANCE OF THE FISHING SEASON, OF THE PRECISE AND LIMITED EXTENT TO WHICH 1976 IPSFC GEAR REGULATIONS MAY NOT, UNDER DOMESTIC LAW, BE IMPLEMENTED IN THE CONVENTION WATERS OF THE U.S. THEREAFTER, THE UNITED STATES WILL TAKE ALL STEPS NECESSARY TO PREVENT OR DEFEND AGAINST ANY CHALLENGE TO SUCH PRECISE AND LIMITED NONAPPLICATION OF COMMISSION GEAR REGULATIONS, INCLUDING THE FILING OF A PETITION FOR A RULING FROM THE U.S. DISTRICT COURT OR THE TAKING OF SUCH OTHER ACTION AS IS MOST LIKELY TO RESOLVE THE MATTER IN A MANNER BOTH TIMELY AND CONSISTENT WITH THE UNDERSTANDING BETWEEN THE CANADIAN AUTHORITIES AND THE UNITED STATES.

AS REQUESTED, THE UNITED STATES UNDERTAKES TO ASSURE THE CANADIAN AUTHORITIES THAT, FOR ITS PART, THE 1976 IPSFC REGULATIONS WILL BE ADEQUATELY ENFORCED AND THAT COMPLETE
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PAGE 03 STATE 040251

CATCH DATA ON SOCKEYE AND PINK SALMON CAUGHT UNDER THE NEW ARRANGEMENTS WILL BE MADE AVAILABLE TO THE IPSFC.

THE UNITED STATES WISHES TO EXPRESS ITS APPRECIATION TO THE CANADIAN AUTHORITIES FOR THEIR COOPERATION IN HELPING TO RESOLVE SOME ASPECTS OF THIS COMPLEX MATTER, AND TO REITERATE THE CONCERN IT SHARES WITH CANADA FOR THE CONTINUED SUCCESSFUL MANAGEMENT OF THE STOCKS COVERED BY THE CONVENTION. DATED FEB 17, 1976 END TEXT. INGERSOLL

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